Secretariat Manual of Office Procedure lor senoing actnowieugement as well as nnsu replies w letters received from the Members 01 Parliament an" MiJVs by the officers of the Central Government which may inter-aba lelate to various aev ilopment schemes. As per these gwde-lines, communications received from Members of Parliament should be attended to promptly. *Each* communication is i<> be replied to within 15 days. Where a delay is anncipa ted i_n sending a final reply or information has to be collected from officers other than the office 'to which the letter pertains, an interim reply should be sent within $_a$ fortnight indicating the $possib_{,e}$ date by which a final reply can be given.

(b) There exists no system fur centralised tabulation of replies sent or siiD *pending for reply with officers* in various government offices. Hence it is not possible to state in how many cases reply to MP letters has not been given by the officers.

(c) No information is available on this point The guidelines stated above ate not applicable to the officers of State Governments as the Siate governments generally prescribe their own guidelines in this retard.

(d) All officers in the ministries: departments of Government of India are expected to observe the guidelines laid down in pans 57 *k* 60 of the Manual of Office Procedure Any violation of the procedu-e Is dealt wtth P*r existing disciplinary pro.

Pay commison recommendations tar pression

2580 DR. MOHAN BABU
DR. Y. LAKSHMI PRASAD:

Will the PRIME MINISTER be pleased to state;

(a) whether the Fifth Central Pay Commission had recommended payment of a[1] least half of the minimum of the revised stale to pensioners;

(b) if so, the reasons for not agreeing to the recommendation; and

(c) whether, as a welfare measure, Government would consider imple mentation °f 'he above recommenoation, to give reiief to pensioners who are hard-hit due to puce rise?

THE MINISTER OF STATE K THE MINISTRY *US* PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY 01 PARLIAMENTARY AFFAIRS (SHBI S. R. BALASUBRAMONIYAN): (a) Yes Sir.

(b) The recommendation of Pay Commission for the consolidation ol *pension in respect of all pre-l.l.lSSt* retirees, in accordance with the for mulation given by it, has been acce pted. In the case of pre-1986 retirees, The Government has also accepted the recommendation that before such consolidation, their pension may be updated by notional fixation of their pay as On 1.1.1986 by adopting the same formula as for the serving em ployees. The Government considers that the above measures will provide adequate relief to the pensioners.

(c) Does not aiise in view of ans wer U part (b) above

Withdrawal of Circular on S«nk>ri«J ol SC/ST Officers

2581. SHRI SUSHIL BARONGPA: Will the PRIME MINISTER oe plea sed to state:

(a) whether Government are aware of Supreme Court's Judgements in the cases of Shri Jagdish Lal and others V/s State of Haryana and Ashok Kumar Gupta V:s State of U.P. dated the 7th May and 21st March, 1997, respectively;

(b) if so, the details thereof;

Whether govement have assued any circular on senoirsilly of sc/st omecers promoted earture cisvis genral cnadiated prolloted proti January 1997

(B) wheter government have recicved any representation against this culcuta and
(e) wheter govement propose to window the said cirucluat in vies of the judegements icf so details therfor it not the reasongs therto

THE MINISTER OF STATE IN THJi MINlSrRY OF PERSOtNtME PUbUC GRIEVANCES AND PEN-5I0NS AND THE MINISTER OF SiATE IN THE M1NIS1RY OF PARLIAMENTARY AFFAIRS (SHRI S. R. BALASUBRAMONIYAN): La) and (b) The Hon'able Supreme Court in its judgement dated 7th May, 1997 in the case of Shri Jt-g-iish Lai and others Vs. State of rlaryana has held *inter-alia* that the principle laid down in Shri Virpal Singh Chauhan's case will operate prospectively and will not affect pro-notions of the reserved category rtndidates which were made prior to the case of Shri Virpal Singh Chiahan Also, the ruling in Chau-*ym't* case canot be given effect tUcally through isue of execu-t»e instructions if there is contrary Povision i_n the staiutory rules. In others words, it will be necessary to 'mend the statutory rules governing Wiority to give effect to the ruling 'he Hon'ble Supreme Court-here, however, there are n_0 statu. rule* regu'ating seniority issue 'ructions in this regard would .ce 6

h 'he cese $_0$f A-hok Kum-r Gupta SU_{se} of Utta- Pradesh the iTlr WM directed at reservation *cj*^^*on* Thu Hon hie Suoreme U Judgement dated ,^7T h»s unrHa ,h_e v-liditv of Promntio$_n$ under the tT°n the grounds that *U^TT** C«««rt In I«dira Saw-what has ue-mifted QM reservations p.omouons to continue for a period oi uve ye&iS irum ine $d_a$ie 01 saia j uugemeut.

to te) Having regard to the judgement or tne iion'D.e Supieuie Court in tne mauer ot Union of inula & Others Vs. Shri Virpal Singh Chaunan etc., orders nave been LSU-ea vy tne uovernment vide O.M. No 20uil/l$_l$96-Estt.U) dated 30.1.1997 that if a candidate belonging to the Scneduied Caste or the bchedaied Tribe is promoted to an immecuate higher post/giade against a reserved vacancy earlier than his senior gene.al,OBC candidate who is pro-moted later to the said immediate higher pos'lgrade, the general|OBC candidate will regain his seniority over such earlier promoted candidate of the Scheduled Caste and the Scheduled Tribe in th$_e$ immediate higher posi/grade. However$_>$ if in the meanwhile, the reserved candidate; who got accelerated promotion to the immediate higher grade, has moved still further by getting promotion to the next higher grade, no benefit would accrue to the general/OBC candidate at the 'ime of his promotion. These order$_s$ ar$_e$ effective prospectively from the dat$_e$ of issue. Representations have been received against the orders which wer$_e$ examined in the light of the law laid down by the Hon'ble Supreme Court and the provisions made in 'he afo-e-said O.M.

In view of the aforesaid position, there is no proposal at the moment (o withdraw 'he said orders

AppUcabilitv of CCS rule* to BBITBO-

2582 PROF RAM KAPSE: Win the PRIME MINISTER be pleased «o sta»e-

(a) whether l mandatory *or Atitntv moti$ BodlM/TmsM c caKM *T Parliament's Resolution and obtaining grants from Govemmen< *f*^{ol}-low the provisions of C C 8. rules. applicable her Govemineni em-ployees.